RULE 218 ARCHITECTURAL COATINGS

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~~**APPENDIX A – AVERAGING PROVISION**~~

100 GENERAL

101 PURPOSE: To limit the quantity of volatile organic compounds in architectural coatings supplied, sold, offered for sale, applied, solicited for application, or manufactured for use within the District.

102 APPLICABILITY: Except as provided in Section 104, this rule is applicable to any person who: ~~supplies, sells, offers for sale, or manufacturers any architectural coating for use for all of Placer County, as well as any person who applies or solicits the application of any architectural coating within Placer County~~.

102.1 Supplies, sells, or offers for sale any architectural coating for use within the District.
102.2 Manufactures, blends, or repackages any architectural coating for use within the District.
102.3 Applies or solicits the application of any architectural coating within the District.

103 SEVERABILITY: If a court of competent jurisdiction issues an order that any provision of this rule is invalid, it is the intent of the Board of Directors of the District that other provisions of this rule remain in full force and affect, to the extent allowed by law.

104 EXEMPTIONS: This rule does not apply to:

104.1 Any architectural coating that is supplied, sold, offered for sale, or manufactured for use outside of the District or for shipment to other manufacturers for reformulation or repackaging~~;~~.

104.2 Any aerosol coating product~~; or~~.

104.3 Any architectural coating that is sold in a container with a volume of one liter (1.057 quart) or less, except for Reporting, Section 501.

104.4 Shop Coating Operations: Coating operations conducted in a business shop environment and which are subject to either, Rule 236, Wood Products Coating Operations or Rule 238, Factory Coating of Flat Wood Paneling, are exempt from all provisions of this rule.

200 DEFINITIONS

201 ADHESIVE: Any chemical substance that is applied for the purpose of bonding two surfaces together other than by mechanical means.

202 AEROSOL COATING PRODUCT: A pressurized coating product containing pigments or resins that dispense product ingredients by means of a propellant, and is packaged in a disposable can for hand-held application, or for use in specialized equipment for ground traffic/marking applications.

203 ~~ANTENNA COATING: A coating labeled and formulated exclusively for application to equipment and associated structural appurtenances that are used to receive or transmit electromagnetic signals.~~

ALUMINUM ROOF COATING: A coating labeled and formulated exclusively for application to roofs and containing at least 84 grams of elemental aluminum pigment per liter of coating (at least 0.7 pounds per gallon). Pigment content shall be determined in accordance with SCAQMD Method 318-95, incorporated by reference in Subsection 503.4.43.

~~**204 ANTIFOULING COATING:** A coating labeled and formulated for application to submerged stationary structures and their appurtenances to prevent or reduce the attachment of marine or freshwater biological organisms. To qualify as an antifouling coating, the coating must be registered with both the U.S.~~

~~Environmental Protection Agency under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Section 136, *et seq.*) and with the California Department of Pesticide Regulation.~~

~~205~~204 **APPURTENANCES:** Any accessory to a stationary structure coated at the site of installation, whether installed or detached, including but not limited to: bathroom and kitchen fixtures; cabinets; concrete forms; doors; elevators; fences; hand railings; heating equipment, air conditioning equipment and other fixed mechanical equipment, or stationary tools; lampposts; partitions; pipes and piping systems; rain-gutters and down-spouts; stairways, fixed ladders, catwalks, and fire escapes; and window screens.

~~206~~205 **ARCHITECTURAL COATING:** A coating to be applied to stationary structures and their appurtenances at the site of installation, to portable buildings at the site of installation, to pavements, or to curbs. Coatings applied in shop applications or to non-stationary structures such as airplanes, ships, boats, railcars, and automobiles, and adhesives are not considered architectural coatings for the purpose of this rule.

206 **BASEMENT SPECIALTY COATING:** A clear or opaque coating that is labeled and formulated for application to concrete and masonry surfaces to provide a hydrostatic seal for basements and other below-grade surfaces. Basement Specialty Coatings must meet the following criteria:

206.1 Coating must be capable of withstanding at least 10 psi of hydrostatic pressure, as determined in accordance with ASTM D7088-04, which is incorporated by reference in Subsection 503.4.11.

206.2 Coating must be resistant to mold and mildew growth and must achieve a microbial growth rating of 8 or more, as determined in accordance with ASTM D3273-00 and ASTM D3274-95, incorporated by reference in Subsection 503.4.19.

207 **BITUMENS:** Black or brown materials including, but not limited to, asphalt, tar, pitch, and asphaltite that are soluble in carbon disulfide, consist mainly of hydrocarbons, and are obtained from natural deposits or as residues from the distillation of crude petroleum or coal.

208 **BITUMINOUS ROOF COATING:** A coating which incorporates bitumens that is labeled and formulated exclusively for roofing.

209 **BITUMINOUS ROOF PRIMER:** A primer which incorporates bitumens that is labeled and formulated exclusively for roofing, and is intended for the purpose of preparing a weathered or aged surface or improving the adhesion of subsequent surfacing components.

210 **BOND BREAKER~~S~~:** A coating labeled and formulated for application between layers of concrete to prevent a freshly poured top layer of concrete from bonding to the layer over which it is poured.

~~211 **CLEAR BRUSHING LACQUERS:** Clear wood finishes, excluding clear lacquer sanding sealers, formulated with nitrocellulose or synthetic resins to dry by solvent evaporation without chemical +reaction and to provide a solid, protective film, which are intended exclusively for application by brush, and which are labeled as specified in Section 401.5.~~

~~212 **CLEAR WOOD COATINGS:** Clear and semi-transparent coatings, including lacquers and varnishes, applied to wood substrates to provide a transparent or translucent solid film.~~

~~213~~211 **COATING:** A material applied onto or impregnated into a substrate for protective, decorative, or functional purposes. Such materials include, but are not limited to, paints, varnishes, sealers, and stains.

~~214~~212 **COLORANT:** A concentrated pigment dispersion in water, solvent, and/or binder that is added to an architectural coating after packaging in sale units to produce the desired color.

~~215~~213 **CONCRETE CURING COMPOUND:** A coating labeled and formulated for application to freshly poured concrete to ~~retard the evaporation of water~~ perform one or more of the following functions:

213.1 Retard the evaporation of water.
213.2 Harden or dustproof the surface of freshly poured concrete.

214 **CONCRETE/MASONRY SEALER:** A clear or opaque coating that is labeled and formulated primarily for application to concrete and masonry surfaces to perform one or more of the following functions:

214.1 Prevent penetration of water.
214.2 Provide resistance against abrasion, alkalis, acids, mildew, staining, or ~~ultraviolet light~~ultraviolet light.
214.3 Harden or dustproof the surface of aged or cured concrete.

215 **DRIVEWAY SEALER**: A coating labeled and formulated for application to worn asphalt driveway surfaces to perform one or more of the following functions:

215.1 Fill cracks.
215.2 Seal the surface to provide protection.
215.3 Restore or preserve the appearance.

216 **DRY FOG COATING:** A coating labeled and formulated only for spray application such that overspray droplets dry before subsequent contact with incidental surfaces in the vicinity of the surface coating activity.

217 **EXEMPT COMPOUND:** For the purposes of this rule, "exempt compound" has the same meaning as in Rule 102, Definitions, except that the following listed compounds are additional exempt compounds. Exempt compounds content of a coating shall be determined by U.S. EPA Method 24 or South Coast Air Quality Management District Method 303-91 (Revised August 1996), incorporated by reference in Subsection 502.4.10.

~~217.1 perchloroethylene (tetrachloroethylene)~~
~~217.2 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca)~~
~~217.3 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb)~~
~~217.4 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC-43-10mee)~~
~~217.5 difluoromethane (HFC-32)~~
~~217.6 ethylfluoride (HFC-161)~~
~~217.7 1,1,1,3,3,3-hexafluoropropane (HFC-236fa)~~
~~217.8 1,1,2,2,3-pentafluoropropane (HFC-245ca)~~
~~217.9 1,1,2,3,3-pentafluoropropane (HFC-245ea)~~
~~217.10 1,1,1,2,3-pentafluoropropane (HFC-245eb)~~
~~217.11 1,1,1,3,3-pentafluoropropane (HFC-245fa)~~
~~217.12 1,1,1,2,3,3-hexafluoropropane (HFC-236ea)~~
~~217.13 1,1,1,3,3-pentafluorobutane (HFC-365mfc)~~
~~217.14 chlorofluoromethane (HCFC-31)~~
~~217.15 1 chloro-1-fluoroethane (HCFC-151a)~~
~~217.16 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a)~~
~~217.17 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane ($C_4F_9OCH_3$)~~
~~217.18 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ($(CF_3)_2CFCF_2OCH_3$))~~
~~217.19 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane ($C_4F_9OC_2H_5$)~~
~~217.20 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ($(CF_3)_2CFCF_2OC_2H_5$)~~
~~217.21 methyl acetate~~

218 **FAUX FINISHING COATING:** A coating labeled and formulated to meet one or more of the following criteria:~~as a stain or glaze to create artistic effects including, but not limited to, dirt, old age, smoke damage, and simulated marble and wood grain, or~~

218.1 A glaze or textured coating used to create artistic effects, including, but not ~~limited to~~limited to: dirt, suede, old age, smoke damage, and simulated marble and wood grain; or

218.2 A decorative coating used to create a metallic, iridescent, or pearlescent appearance that contains at least 48 grams of pearlescent mica pigment or other iridescent pigment per liter of coating, as applied (at least 0.4 pounds per gallon); or

218.3 A decorative coating used to create a metallic appearance that contains less than 48 grams of elemental metallic pigment per liter of coating as applied (less than 0.4 pounds per gallon), when tested in accordance with SCAQMD Method 318-95, incorporated by reference in Subsection 503.4.~~4~~3; or

218.4 A decorative coating used to create a metallic appearance that contains greater than 48 grams of elemental metallic pigment per liter of coating as applied (greater than 0.4 pounds per gallon) and which requires a clear topcoat to prevent the degradation of the finish under normal use conditions. The metallic pigment content shall be determined in accordance with SCAQMD Method 318-95, incorporated by reference in ~~subsection~~ Subsection 503.~~44~~.~~4~~3; or

218.5 A clear topcoat to seal and protect a Faux Finishing coating that meets the requirements of Subsections 218.1, 218.2, 218.3, or 218.4. These clear topcoats must be sold and used solely as part of a Faux Finishing coating system, and must be labeled in accordance with Subsection 401.4.

219 FIRE-RESISTIVE COATING: ~~An opaque~~ coating labeled and formulated to protect ~~the~~ structural integrity by increasing the fire endurance of interior or exterior steel and other structural materials. The Fire-Resistive category includes sprayed fire resistive materials and in tumescent fire resistive coatings that are used to bring structural materials into compliance with federal, state and local building code requirements: ~~that has been fire tested and rated by a testing agency approved by building code officials for use in bringing assemblies of structural materials into compliance with federal, state, and local building code requirements.The~~ Fire-resistive coatings shall be tested in accordance with ASTM Designation E 119-~~98~~07~~09~~09c, incorporated by reference in Subs~~S~~ection 503.4.1.~~2~~, Fire Resistive coatings and ~~the~~ testing agencies must be approved by building code officials.

~~**220 FIRE-RETARDANT COATING:** A coating labeled and formulated to retard ignition and flame spread, that has been fire tested and rated by a testing agency approved by building code officials for use in bringing building and construction materials into compliance with federal, state, and local building code requirements. The fire-retardant coating and the testing agency must be approved by building code officials. The fire-retardant coating shall be tested in accordance with ASTM Designation E 84-99, incorporated by reference in Section 502.4.1.~~

~~**221**~~**220 FLAT COATING:** A coating that is not defined under any other definition in this rule and that registers gloss less than 15 on an 85-degree meter or less than 5 on a 60-degree meter, according to ASTM Designation D 523-89 (1999), incorporated by reference in Section 503.4.~~3~~2.

~~**222**~~**221 FLOOR COATING:** An opaque coating that is labeled and formulated for application to flooring, including, but not limited to, decks, porches, steps, garage floors, and other horizontal surfaces which may be subject to foot traffic.

~~**223 FLOW COATING:** A coating labeled and formulated exclusively for use by electric power companies or their subcontractors to maintain the protective coating systems present on utility transformer units.~~

~~**224**~~**222 FORM-RELEASE COMPOUND:** A coating labeled and formulated for application to a concrete form to prevent the freshly poured concrete from bonding to the form. The ~~form may~~form may consist of wood, metal, or some other material other than concrete.

~~223~~ ~~**GONIOAPPARENT:** A change in appearance with a change in the angle of illumination or the angle of view, as defined according to ASTM E-284-06b, incorporated by reference in Subsection 503.4.132.~~

~~225~~224 **GRAPHIC ARTS COATING OR SIGN PAINT:** A coating labeled and formulated for hand-application by artists using brush, airbrush, or roller techniques to indoor and outdoor signs (excluding structural components) and murals including lettering enamels, poster colors, copy blockers, and bulletin enamels.

~~226~~225 **HIGH-TEMPERATURE COATING:** A high performance coating labeled and formulated for application to substrates exposed continuously or intermittently to temperatures above 204°C (400°F).

~~227~~226 **INDUSTRIAL MAINTENANCE COATING:** A high performance architectural coating, including primers, sealers, undercoaters, intermediate coats, and topcoats, formulated for application to substrates, including floors, exposed to one or more of the following extreme environmental conditions listed in Sections 226.1 through 226.5, and labeled as specified in Section 401.5:

~~227~~226.1 Immersion in water, wastewater, or chemical solutions (aqueous and non-aqueous solutions), or chronic exposure of interior surfaces to moisture condensation;

~~227~~226.2 Acute or chronic exposure to corrosive, caustic, or acidic agents, or to chemicals, chemical fumes, or chemical mixtures or solutions;

~~227~~226.3 ~~Repeated~~ Frequent exposure to temperatures above 121°C (250°F);

~~227~~226.4 ~~Repeated~~ Frequent heavy abrasion, including mechanical wear and repeated (frequent) scrubbing with industrial solvents, cleansers, or scouring agents; or

~~227~~226.5 Exterior exposure of metal structures and structural components.

~~228~~ ~~**LACQUER:** A clear or opaque wood coating, including clear lacquer sanding sealers, formulated with cellulosic or synthetic resins to dry by evaporation without chemical reaction and to provide a solid, protective film.~~

~~229~~227 **LOW-SOLIDS COATING:** A coating containing 0.12 kilogram or less of solids per liter (1 pound or less of solids per gallon) of coating material as recommended for application by the manufacturer. The VOC content for Low Solids Coatings shall be calculated in accordance with Subsection 263.2.

~~230~~228 **MAGNESITE CEMENT COATING:** A coating labeled and formulated for application to magnesite cement decking to protect the magnesite cement substrate from erosion by water.

229 **MANUFACTURER'S MAXIMUM THINNING RECOMMENDATION:** The maximum recommendation for thinning that is indicated on the label or lid of the coating container.

~~231~~230 **MASTIC TEXTURE COATING:** A coatings labeled and formulated to cover holes and minor cracks and to conceal surface irregularities, and is applied in a single coat of at least 10 mils (0.010 inch) dry film thickness.

231 **MEDIUM DENSITY FIBERBOARD (MDF):** A composite wood product panel, molding, or other building material composed of cellulosic fibers (usually wood) made by dry forming and pressing of a resinated fiber mat.

~~232 METALLIC: Similar to the appearance of a gonioapparent material, as defined herein, containing metal flakes.~~

~~232~~233 **METALLIC PIGMENTED COATING:** A coating that is labeled and formulated to provide a metallic appearance. Metallic Pigmented coatings must ~~A coating~~ contain~~ing~~ at least 48 grams of elemental metallic pigment (excluding zinc) per liter of coating as applied (at least 0.4 pounds per gallon), when tested in accordance with South Coast Air Quality Management District Method 318-95, incorporated by reference in Section 503.4. ~~4~~3. The Metallic Pigmented Coating category does not include coatings applied to roofs or Zinc-Rich Primers.

~~233~~234 **MULTI-COLOR COATING:** A coating that is packaged in a single container and that is labeled and formulated to exhibit~~s~~ more than one color when applied in a single coat.

~~234~~235 **NONFLAT COATING:** A coating that is not defined under any other definition in this rule and that registers a gloss of 15 or greater on an 85-degree meter and 5 or greater on a 60-degree meter according to ASTM Designation D 523-89 (1999), incorporated by reference in Section 503.4.~~3~~2.

~~235~~236 **NONFLAT - HIGH GLOSS COATING:** A nonflat coating that registers a gloss of 70 or above on a 60 degree meter according to ASTM Designation D 523-89 (1999), incorporated by reference in Subsection 503.4.~~3~~2. Nonflat-High Gloss coatings must be labeled in accordance with Section 401.~~9~~10.

~~236 NONINDUSTRIAL USE: Nonindustrial use means any use of architectural coatings except in the construction or maintenance of any of the following: facilities used in the manufacturing of goods and commodities; transportation infrastructure, including highways, bridges, airports and railroads; facilities used in mining activities, including petroleum extraction; and utilities infrastructure, including power generation and distribution, and water treatment and distribution systems.~~

237 **PARTICLE BOARD:** A composite wood product panel, molding or other building material composed of cellulosic material (usually wood) in the form of discrete particles, as distinguished from fibers, flakes, or strands, which are pressed together with resin.

238 **PEARLESCENT:** Exhibiting various colors depending on the angles of illumination and viewing, as observed in mother-of-pearl.

239 **PLYWOOD:** A panel product consisting of layers of wood veneers or composite core, pressed together with resin. Plywood includes panel products made by either hot or cold pressing (with resin) veneers to a platform.

~~237~~240 **POST-CONSUMER COATING:** ~~A~~ Finished coating~~s~~ generated by a business or ~~consumer~~ ~~that~~consumer that have served their intended end uses, and are recovered from, or otherwise diverted from the waste stream for the purpose of recycling.~~that would have been disposed of in a landfill, having completed its usefulness to a consumer, and does not include manufacturing wastes.~~

~~238~~241 **PRE-TREATMENT WASH PRIMER:** A primer that contains a minimum of 0.5 percent acid, by weight, when tested in accordance with ASTM Designation D 1613-~~96~~06, incorporated by reference in Section 503.4.~~5~~4~~, that~~4, which is labeled and formulated for application directly to bare metal surfaces to provide corrosion resistance and to promote adhesion of subsequent topcoats.

~~239~~242 **PRIMER, SEALER, AND UNDERCOATER:** ~~A coating labeled and formulated for application to a substrate to provide a firm bond between the substrate and subsequent coats.~~ A coating labeled and formulated for one or more of the following purposes:

242.1 To provide a firm bond between the substrate and the subsequent coatings.

242.2 To prevent subsequent coatings from being absorbed by the substrate.

242.3 To prevent harm to subsequent coatings by materials in the substrate.

242.4 To provide a smooth surface for the subsequent application coatings.

242.5 To provide a clear finish coat to seal the substrate.

242.6 To block materials from penetrating into or leaching out of a substrate.

~~240 **QUICK-DRY ENAMEL:** A nonflat coating that is labeled as specified in Section 401.8 and that is formulated to have the following characteristics:~~

~~240.1 Is capable of being applied directly from the container under normal conditions with ambient temperatures between 16 and 27°C (60 and 80°F);~~

~~240.2 When tested in accordance with ASTM Designation D-1640-95, incorporated by reference in Section 502.4.6., sets to touch in 2 hours or less, is tack free in 4 hours or less, and dries hard in 8 hours or less by the mechanical test method; and~~

~~240.3 Has a dried film gloss of 70 or above on a 60 degree meter.~~

~~241 **QUICK-DRY PRIMER, SEALER AND UNDERCOATER:** A primer, sealer or undercoater that is dry to the touch in 30 minutes and can be recoated in 2 hours when tested in accordance with ASTM Designation 1640-95, incorporated by reference in Section 502.4.6.~~

243 **REACTIVE PENETRATING SEALER:** A clear or pigmented coating that is labeled and formulated for application to above-grade concrete and masonry substrates to provide protection from water and waterborne contaminants, including, but not limited to, alkalis, acids and salts. Reactive Penetrating Sealers must penetrate into concrete and masonry substrates and chemically react to form covalent bonds with naturally occurring minerals in the substrate. Reactive Penetrating Sealers line the pores of concrete and masonry substrates with a hydrophobic coating, but do not form a surface film. Reactive Penetrating Sealers must meet all of the following criteria:

243.1 The Reactive Penetrating Sealer must improve water repellency at least 80 percent after application on a concrete or masonry substrate. This performance must be verified on standardized test specimens, in accordance with one or more of the following standards, incorporated by reference in Subsection 503.4.20: ASTM C67-07, or ASTM C97-02, or ASTM C140-06.

243.2 The Reactive Penetrating Sealer must not reduce the water vapor transmission rate by more than 2 percent after application on a concrete or masonry substrate. This performance must be verified on standardized test specimens, in accordance with ASTM E96/E96M-05, incorporated by reference in Subsection 503.4.22.

243.3 Products labeled and formulated for vehicular traffic surface chloride screening applications must meet the performance criteria listed in National Cooperative Highway Research Report 244 (1981), incorporated by reference in Subsection 503.4.22.

Reactive Penetrating Sealers must be labeled in accordance with Subsection 401.8.

~~242~~244 **RECYCLED COATING:** An architectural coating formulated such that it contains not less than 50 ~~%~~ % ~~percent of the total weight consists of secondary and post-consumer coating, with not less than 10 percent of the total weight consisting of post-consumer coating.~~ by

volume, post-consumer coating, with a maximum of 50% by volume secondary industrial materials or virgin materials.

~~243~~245 **RESIDENTIAL:** Areas where people reside or lodge, including, but not limited to, single and multiple family dwellings, condominiums, mobile homes, apartment complexes, motels, and hotels.

~~244~~246 **ROOF COATING:** A non-bituminous coating labeled and formulated ~~exclusively~~ for application to roofs for the primary purpose of ~~preventing penetration of the substrate by water or reflecting heat and ultraviolet radiation. Metallic pigmented roof coatings which qualify as Metallic Pigmented Coating shall not be considered to be in this category, but shall be considered to be in the Metallic Pigmented Coating category~~ .preventing water penetration, reflecting ultraviolet light, or other reflecting solar radiation.

~~245~~247 **RUST PREVENTIVE COATING:** A coating formulated ~~for nonindustrial use~~ to prevent the corrosion of metal surfaces ~~and labeled as specified~~ for one or more of the following applications: ~~in Section 401.6.~~

247.1 Direct to metal coating.

247.2 Coating intended for application over rusty, previously coated metal surfaces.

This Rust Preventative Coating category does not include coatings that are required to be applied as a topcoat over a primer, or coatings that are intended for use on wood or any other non-metallic surfaces.

Rust Preventative Coatings, which are for metal substrates only, must be labeled as such in accordance with the labeling requirements in Subsection 401.6.

~~246 **SANDING SEALER:** A clear or semi-transparent wood coating labeled and formulated for application to bare wood to seal the wood and to provide a coat that can be abraded to create a smooth surface for subsequent applications of coatings. A sanding sealer that also meets the definition of a lacquer is not included in this category, but is included in the lacquer category.~~

~~247 **SEALER:** A coating labeled and formulated for application to a substrate for one or more of the following purposes: to prevent subsequent coatings from being absorbed by the substrate, or to prevent harm to subsequent coatings by materials in the substrate.~~

~~248 **SECONDARY COATING (REWORK):** A fragment of a finished coating or a finished coating from a manufacturing process that has converted resources into a commodity of real economic value, but does not include excess virgin resources of the manufacturing process.~~

248 **SECONDARY INDUSTRIAL MATERIALS:** Products or by-products of the paint manufacturing process, that are of known composition and have economic value but can no longer be used for their intended purpose.

249 **SEMITRANSPARENT COATING:** A coating that contains binders and colored pigments and is formulated to change the color of the surface, but not conceal the grain pattern or texture.

~~249~~250 **SHELLAC:** A clear or opaque coating formulated solely with the resinous secretions of the lac beetle (Laccifer lacca), ~~thinned with alcohol,~~ and formulated to dry by evaporation without a chemical reaction.

~~250~~251 **SHOP APPLICATION:** Application of a coating to a product or a component of a product in or on the premises of a factory or a shop as part of a manufacturing, production, or repairing process (e.g., original equipment manufacturing coatings).

~~251~~252 **SOLICIT:** To require for use or to specify, by written or oral contract.

~~252~~253 **SPECIALTY PRIMER, SEALER AND UNDERCOATER:** A coating ~~labeled as specified in Section 401.7 and~~ that is formulated for application to a substrate to block water soluble stains resulting from: fire damage, smoke damage, or water damage. ~~Materials~~Coatings in these three categories must be labeled in accordance with Subsection 401.7.

~~253~~254 **STAIN:** A ~~clear, semitransparent,~~semitransparent or opaque coating labeled and formulated to change the color of a surface but not conceal the grain pattern or texture.

255 **STONE CONSOLIDANT;** A coating that is labeled and formulated for application to stone substrates to repair historical structures that have been damaged by weathering or other decay mechanisms. Stone Consolidants must penetrate into stone substrates to create bonds between particles and consolidate deteriorated material. Stone Consolidants must be specified and used in accordance with ASTM E2167-01, incorporated by reference in Subsection 503.4.25.

Stone Consolidants are for professional use only and must be labeled as such, in accordance with the labeling requirements in Subsection 401.9.

~~254~~256 **SWIMMING POOL COATING:** A coating labeled and formulated to coat the interior of swimming pools and to resist swimming pool chemicals. Swimming pool coatings include coatings used for swimming pool repair and maintenance.

~~255 SWIMMING POOL REPAIR AND MAINTENANCE COATING: A rubber based coating labeled and formulated to be used over existing rubber based coatings for the repair and maintenance of swimming pools.~~

~~256 TEMPERATURE-INDICATOR SAFETY COATING: A coating labeled and formulated as a color-changing indicator coating for the purpose of monitoring the temperature and safety of the substrate, underlying piping, or underlying equipment, and for application to substrates exposed continuously or intermittently to temperatures above 204°C (400°F).~~

257 **TINT BASE:** An architectural coating to which colorant is added after packaging in sale units to produce a desired color.

258 **TRAFFIC MARKING COATING:** A coating labeled and formulated for marking and striping streets, highways, or other traffic surfaces including, but not limited to, curbs, berms, driveways, parking lots, sidewalks, and airport runways.

~~259 UNDERCOATER: A coating labeled and formulated to provide a smooth surface for subsequent coats.~~

259 **TUB AND TILE REFINISH COATING:** A clear or opaque coating that is labeled and formulated exclusively for refinishing the surface of a bathtub, shower, sink, or countertop. Tub and Tile Refinish coatings must meet all of the following criteria:

259.1 The coating must have a scratch hardness of 3H or harder and a gouge hardness of 4H or harder. This must be determined on bonderite 1000, in accordance with ASTM D3363-05, incorporated by reference in Subsection 503.4.1~~5~~6.

259.2 The coating must have a weight loss of 20 milligrams or less after 1000 cycles. This must be determined with CS-17 wheels on bonderite 1000, in accordance with ASTM D4060-07, incorporated by reference in Subsection 503.4.1~~6~~7.

259.3 The coating must withstand 1000 hours or more of exposure with few or no #8 blisters. This must be determined on unscribed bonderite, in accordance with ASTM D4585-99 and ASTM D71402e1, incorporated by reference in Subsection 503.4.178.

259.4 The coating must have an adhesion rating of 4B or better, after 24 hours of recovery. This must be determined on unscribed bonderite, in accordance with ASTM D4585-99 and ASTM D3359-02, incorporated by reference in Subsection 503.4.189.

~~260 **VARNISH:** A clear or semi-transparent wood coating, excluding lacquers and shellacs, formulated to dry by chemical reaction on exposure to air. Varnishes may contain small amounts of pigment to color a surface, or to control the final sheen or gloss of the finish.~~

260 VENEER: Thin sheets of wood peeled or sliced from logs for use in the manufacture of wood products, such as plywood, laminated veneer lumber, or other products.

261 VIRGIN MATERIALS: Materials that contain no post-consumer coatings or secondary industrial materials.

~~261~~262 **VOLATILE ORGANIC COMPOUND (VOC):** For the purposes of this rule, "Volatile Organic Compound" has the same meaning as in Rule 102, Definitions.

263 VOC ACTUAL CONTENT: The weight of VOC per volume of coating calculated with the following equation:

VOC Actual = (Ws – Ww – Wec) / Vm

Where:

VOC Actual	The grams of VOC per liter of coating (also known as the "Coating VOC").
Ws	Weight of volatile compounds in grams.
Ww	Weight of water in grams.
Wec	Weight of exempt compounds (as defined in Rule 102, Definitions) in grams.
Vm	Volume of material in liters.

~~262~~264 **VOC CONTENT:** The weight of VOC per volume of coating~~,~~. ~~as defined in Section 401.3., and calculated according to the procedures specified in Section 402.~~ VOC Content is determined as VOC Regulatory, as defined in Subsection 263.1, for all coatings except those in the Low Solids category. For coatings in the Low Solids category, the VOC Content is VOC Actual, as defined in Subsection 263.2. If the coating is a multi-component product, the VOC content is VOC Regulatory as mixed or catalyzed. If the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOCs during the curing process, the VOC content must include the VOCs emitted during curing.

265 VOC REGULATORY CONTENT: The weight of VOC per volume of coating, less the volume of water and exempt compounds, calculated with the following equation:

VOC Regulatory = (Ws – Ww – Wec) / (Vm – Vw – Vec)

Where:

VOC Regulatory	The grams of VOC per liter of coating, less water and exempt compounds (also known as the "Material VOC").
Ws	Weight of volatile compounds in grams.

Ww	Weight of water in grams.
Wec	Weight of exempt compounds (as defined in Rule 102, Definitions) in grams.
Vm	Volume of material in liters.
Vw	Volume of water in liters.
Vec	Volume of exempt compounds (as defined in Rule 102, Definitions) in liters.

~~263~~266 **WATERPROOFING ~~SEALER~~ MEMBRANE:** A clear or opaque coating that is labeled and formulated for application to concrete and masonry surfaced to provide a seamless waterproofing membrane that prevents any penetration of liquid water into the substrate. ~~a porous substrate for the primary purpose of preventing the penetration of water.~~ Waterproofing Membranes are intended for the following waterproofing ~~applications:~~applications :(1) below-grade surfaces, (2) between concrete slabs, (3) inside tunnels, (4) inside concrete planters, and (5) under flooring materials. Waterproofing Membranes must meet the following criteria:

266.1 Coatings must be applied in a single coat of at least 25 mils (0.025 inches) dry film thickness; and

266.2 Coatings must meet or exceed the requirements contained in ASTM C836-06, incorporated by reference in Subsection~~.~~ 503.4.18.

The Waterproofing Membrane category does not include topcoats that are included in the Concrete/Masonry Sealer category (e.g., parking deck topcoats, pedestrian deck topcoats, etc).~~.~~

~~264 WATERPROOFING CONCRETE/MASONRY SEALER: A clear or pigmented film-forming coating that is labeled and formulated for sealing concrete and masonry to provide resistance against water, alkalis, acids, ultraviolet light, and staining.~~

267 **WOOD COATINGS:** Coatings labeled and formulated for application to wood substrates only. The Wood Coatings category includes the following clear and semitransparent coatings: lacquers; varnishes; sanding sealers; penetrating oils; clear stains; wood conditioners used as undercoats; and wood sealers used as topcoats. The Wood Coatings category also includes the following opaque wood coatings: opaque lacquers, opaque sanding sealers, and opaque lacquer undercoaters.

The Wood Coatings category does not include the following: Clear sealers that are labeled and formulated for use on concrete/masonry surfaces or coatings intended for substrates other than wood. Wood coatings must be labeled "For Wood Substrates Only", in accordance with Subsection 401.11.

~~265~~268 **WOOD PRESERVATIVE:** A coating labeled and formulated to protect exposed wood from decay or insect attack, that is registered with both the U.S. Environmental Protection Agency under the Federal Insecticide, Fungicide, and Rodenticide Act 7, United States Code, (U.S.C.) Section 136, *et seq.* and with the California Department of Pesticide Regulation.

269 **WOOD SUBSTRATE:** A substrate made of wood, particleboard, plywood, medium density fiberboard, rattan, wicker, bamboo, or composite products with exposed wood grain. Wood Products do not include items comprised of simulated wood.

270 **ZINC-RICH PRIMER:** A coating that meets all of the following specifications:

270.1 Coating that contains at least 65 percent metallic zinc powder or zinc dust by ~~weight, of~~weight, of total solids; and

270.2 Coating that is formulated for application to metal substrates to provide a firm bond between the substrate and subsequent applications of coatings; and

270.3 Coating that is intended for professional use only and is labeled as such in accordance with the labeling requirements in Subsection 401.12.

300 STANDARDS

301 VOC CONTENT LIMITS: Except as provided in Sections 302, or 303, no person shall: (i) manufacture, blend, or repackage ~~for sale~~for use within the District; (ii) supply, sell, or offer for sale for use within the District; or (iii) solicit for application or apply within the District, any architectural coating with a VOC content in excess of the corresponding limit specified in the following table. Limits are expressed as VOC Regulatory Content as defined in Section 100, in grams of VOC per liter of coating thinned to the manufacturer's maximum recommendation, excluding ~~the volume of any water, exempt compounds, or~~ any colorant added to the tint bases; except for Low Solid Coatings where limits are expressed as VOC Actual Content as defined in Section 100. ~~"Manufacturer's maximum recommendation" means the maximum recommendation for thinning that is indicated on the label or lid of the coating container.~~

~~COATING CATEGORY~~	~~EFFECTIVE 1997~~	~~EFFECTIVE 6/15/2002~~	~~EFFECTIVE 1/1/2003~~	~~EFFECTIVE 1/1/2004~~
~~Flat Coatings~~	~~250~~		~~100~~	
~~Nonflat Coatings~~	~~250~~	~~250~~	~~150~~	
~~Nonflat – High Gloss~~		~~250~~		
~~*SPECIALTY COATINGS:*~~				
~~Antenna~~		~~530~~		
~~Antifouling~~		~~400~~		
~~Bituminous Roof~~		~~300~~		
~~Bituminous Roof Primers~~		~~350~~		
~~Bond Breakers~~	~~350~~			
~~CLEAR WOOD COATINGS:~~				
~~Clear Brushing Lacquer~~		~~680~~		
~~Laquers (including lacquer sanding sealers)~~	~~680~~		~~550~~	
~~Sanding Sealers (other than lacquer sanding sealers~~	~~350~~			
~~Varnishes~~	~~350~~			
~~Concrete Curing Compounds~~	~~350~~			
~~Dry Fog~~	~~400~~			
~~Faux Finishing~~		~~350~~		
~~Fire Resistive~~		~~350~~		
~~*FIRE RETARDANT:*~~				
~~Clear~~	~~650~~			
~~Opaque~~	~~350~~			
~~Floor~~		~~250~~		
~~Flow~~		~~420~~		
~~Form Release Compounds~~	~~250~~			
~~Graphic Arts (Sign Paints)~~	~~500~~			
~~High Temperature~~	~~420~~			
~~Industrial Maintenance~~	~~420~~			~~250~~
~~Low Solids~~		~~120~~		
~~Magnesite Cement~~	~~450~~			
~~Mastic Texture~~	~~300~~			
~~Metallic Pigmented~~	~~500~~			
~~Multi-Color Coating~~	~~420~~		~~250~~	
~~Pre-Treatment Wash Primers~~	~~675~~	~~420~~		
~~Primers, Sealers, and Undercoaters~~		~~350~~	~~200~~	
~~Quick-Dry Enamels~~	~~400~~		~~250~~	

COATING CATEGORY	EFFECTIVE 1997	EFFECTIVE 6/15/2002	EFFECTIVE 1/1/2003	EFFECTIVE 1/1/2004	
Quick-Dry Primers, Sealers, and Undercoaters	350		200		
Recycled		250			
Roof	300	250			
Rust Preventative		400			
SHELLACS:					
— Clear	730				
— Opaque	550				
Specialty Primers, Sealers, and Undercoaters		350			
Stains	350		250		
Swimming Pool Coatings	340				
Swimming Pool Repair and Maintenance		340			
Temperature-Indicator Safety		550			
Traffic Marking	250	150			
Waterproofing Sealers	400		250		
Waterproofing Concrete/Masonry Sealers		400			
Wood Preservatives	350				

1 The specified limits remain in effect unless revised limits are listed in subsequent columns in the table.

2 Units are grams of VOC per liter (pounds of VOC per gallon) or coating, including water and exempt compounds. Conversion factor: one pound VOC per gallon (U.S.) = 119.95 grams VOC per liter.

VOC COATING CATEGORY	Effective **Rule date**	Effective 1/1/2012
Flat Coatings	**50**	
Non-Flat Coatings	**100**	
Non-Flat-High Gloss Coatings	**150**	
SPECIALTY COATINGS		
Aluminum Roof Coatings	400	
Basement Specialty Coatings	400	
Bituminous Roof Coatings	50	
Bituminous Roof Primers	350	
Bond Breakers	350	
Concrete Curing Compounds	350	
Concrete/Masonry Sealers	100	
Driveway Sealers	50	
Dry Fog Coatings	150	
Faux Finishing Coatings	350	
Fire Resistive Coatings	350	
Floor Coatings	100	
Form-Release Compounds	250	
Graphic Arts Coatings (Sign Paints)	500	
High Temperature Coatings	420	
Industrial Maintenance Coatings	250	
Low Solids Coatings*	120	
Magnesite Cement Coatings	450	
Mastic Texture Coatings	100	
Metallic Pigmented Coatings	500	
Multi-Color Coatings	250	
Pre-Treatment Wash Primers	420	
Primers, Sealers And Undercoaters	100	

Reactive Penetrating Sealers	350	
Recycled Coatings	250	
Roof Coatings	50	
Rust Preventative Coatings~~, Non Industrial~~	400	250
~~Rust Preventative Coatings, Industrial~~	~~420~~	~~250~~
Shellacs, Clear	730	
Shellacs, Opaque	550	
~~Specialty~~Specialty Primers, Sealers, and Undercoaters	350	100
Stains	250	
Stone Consolidants	450	
Swimming Pool Coatings	340	
Traffic Marking Coatings	100	
Tub and Tile Refinish Coatings	420	
Waterproof Membranes	250	
Wood Coatings	275	
Wood Preservatives	350	
Zinc-Rich Primers	340	

* Limit is expressed as VOC Actual

302 MOST RESTRICTIVE VOC LIMITS: If anywhere on the container of any architectural coating or any label or sticker affixed to the container, or in any sales, advertising, or technical literature supplied by a manufacturer or anyone acting on their behalf, any representation is made that indicates that the coating meets the definition of or is recommended for use for more than one of the coating categories listed in the table in Section 301, then the most restrictive VOC content limit shall apply. This provision does not apply to the coating categories specified in Section 302.1 through 302.~~14~~12.

~~302.1 Lacquer coatings (including lacquer sanding sealers).~~
302.~~2~~1 Metallic pigmented coatings.
302.~~3~~2 Shellacs.
~~302.4 Fire-retardant coatings.~~
302.~~.5~~33 Pretreatment wash primers.
302.~~6~~4 Industrial maintenance coatings.
302.~~7~~5 Low-solids coatings.
302.~~8~~6 Wood preservatives.
302.~~9~~7 High temperature coatings.
~~302.10 Temperature-indicator safety coatings.~~
~~302.11 Antenna coatings.~~
~~302.12 Antifouling coatings.~~
~~302.13 Flow coatings.~~
302.~~10~~8 Bituminous roof primers.
302.~~11~~9 Specialty primers, sealers, and undercoaters.
302.~~12~~10 Aluminum roof coatings
302.~~13~~11 Zinc-rich primers
302.~~14~~12 Wood coatings

If a coating meets a definition in Section 200 for one or more specialty coating categories that are listed in the table in Section 301 then that coating is not required to meet the VOC limits for Flat, Nonflat, or Nonflat – High Gloss Coatings, but is required to meet the VOC limit for the applicable specialty coating listed in the table in Section 301.

303 SELL-THROUGH OF COATINGS:

303.1 Coatings manufactured prior to the ~~June 15, 2002, January 1, 2003 or January 1, 2004~~ effective date specified for that coating in the table in Section 301 may be sold,

supplied, or offered for sale for up to three years after the specified effective date. In addition, a coating manufactured before the effective date specified for that coating in the table in Section 301, may be applied at any time, both before and after the specified effective date, so long as the coating complied with the standards in effect at the time the coating was manufactured. ~~This Section 303 does not apply to any coating that complies with the future effective June 15, 2002, January 1, 2003 or January 1, 2004 limits or that does not display the date or date-code required by Section 401.1.~~ This Subsection 303.1 does not apply to any coating that does not display the date or date-code required by Subsection 401.1.

~~303.2 A coating included in an approved Averaging Program that does not comply with the specified limit in the table in Section 301 may be sold, supplied, or offered for sale for up to three years after the end of the compliance period specified in the approved Averaging Program. In addition, such a coating may be applied at any time, both during and after the compliance period. This Section 303.2 does not apply to any coating that does not display on the container either the statement: "This product is subject to architectural coatings averaging provisions in California" or a substitute symbol specified by the Executive Officer of the California Air Resources Board. This Section 303.2 shall remain in effect until January 1, 2008.~~

304 PAINTING PRACTICES: All architectural coating containers used to apply the contents therein to a surface directly from the container by pouring, siphoning, brushing, rolling, padding, ragging or other means, shall be closed when not in use. These architectural coating containers include, but are not limited to, drums, buckets, cans, pails, trays or other application containers. Containers of any VOC-containing materials used for thinning and cleanup shall also be closed when not in use.

305 THINNING: No person who applies or solicits the application of any architectural coating shall apply a coating that is thinned to exceed the applicable VOC limit specified in the table in Section 301.

~~**306 RUST PREVENTIVE COATINGS:** After January 1, 2004, A person shall only apply or solicit the application of a rust preventive coating for non-industrial uses, unless the rust preventive coating complies with (1) the industrial maintenance coating VOC limit specified in the table in Section 301 and (2) the specific requirements in Section 247.~~

~~307~~306 **COATINGS NOT LISTED IN SECTION 301:** For any coating that does not meet any of the definitions for the specialty coatings categories listed in the table in Section 301, the VOC content limit shall be determined by classifying the coating as a Flat coating, or a Nonflat, or Nonflat-High Gloss coating, based on its gloss, as defined in Sections 220, 235 and 236, and the corresponding Flat, Nonflat or Nonflat-High Gloss VOC limits in the Table in Section 301 shall apply.

~~**308 LACQUERS:** Notwithstanding the provisions of Sections 301 and 305, a person or facility may add up to 10 percent by volume of VOC to a lacquer to avoid blushing of the finish during days with relative humidity greater than 70 percent and temperature below 65 degrees Fahrenheit, at the time of application, provided that the coating contains acetone and no more than 550 grams of VOC per liter of coating, less water and exempt compounds, prior to the addition of VOC.~~

~~309 AVERAGING COMPLIANCE OPTION: On or after January 1, 2003, in lieu of compliance with the specified limits in the table in Section 301 for floor coatings; industrial maintenance coatings; primers, sealers, and undercoaters; quick-dry primers, sealers, and undercoaters; quick-dry enamels; roof coatings; bituminous roof coatings; rust preventive coatings; stains; waterproofing sealers, as well as flats and nonflats (excluding recycled coatings), manufacturers may average designated coatings such that their actual cumulative emissions from the averaged coatings are less than or equal to the cumulative emissions that would have been allowed under those limits over a compliance period not to exceed one year. Such manufacturers must also comply with the averaging provisions contained in Appendix A, as well as maintain and make available for inspection records for at least three years after the end of the compliance period. This~~

~~Section 309 and Appendix A shall cease to be effective on January 1, 2005, after which averaging will no longer be allowed.~~

400 ADMINISTRATIVE REQUIREMENTS

401 CONTAINER LABELING REQUIREMENTS: Each manufacturer of any architectural coating subject to this rule shall display the information listed in Sections 401.1 through 401.12 on the coating container (or label) in which the coating is sold or distributed.

401.1 Date Code: The date the coating was manufactured, or a date code representing the date, shall be indicated on the label, lid, or bottom of the container. If the manufacturer uses a date code for any coating, the manufacturer shall file an explanation of each code with the Executive Officer of the ~~California Air Resources Board~~ ARB.

401.2 Thinning Recommendations: A statement of the manufacturer's recommendation regarding thinning of the coating shall be indicated on the label or lid of the container. This requirement does not apply to the thinning of architectural coatings with water. If thinning of the coating prior to use is not necessary, the recommendation must specify that the coating is to be applied without thinning.

401.3 VOC Content: VOC content shall be determined as defined in Subsections 263, 264, a~~-~~nd 265, Each container of any coating subject to this rule shall display one of the following values in grams of VOC per liter of coatings:~~either the maximum or the actual VOC content of the coating~~. ~~as supplied, including the maximum thinning as recommended by the manufacturer. VOC content shall be displayed as grams of VOC per liter of coating. VOC content displayed shall be calculated using product formulation data, or shall be determined using the test method in Section 502. The equations in Section 402 shall be used to calculate VOC content.~~

401.3.1 Maximum VOC content as determined from all potential product ~~t~~ formulations.

401.3.2 VOC content as determined from actual formulation data.

401.3.3 VOC content as determined using the test methods in Section 263.

If the manufacturer does not recommend thinning, the container must display the VOC content, as supplied. If the manufacturer recommends thinning, the container must display the VOC content, including the maximum amount of thinning solvent recommended by the manufacturer. If the coating is a multi-component product, the container must display the VOC content as mixed or catalyzed. If the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOC's during the curing process, the VOC content must include the VOC's emitted during curing.

401.4 Faux Finishing Coatings: Labels of all clear topcoat Faux Finishing coatings shall prominently display the statement "This product can only be sold or used as part of a Faux Finishing coating system."

401.4~~5~~ Industrial Maintenance Coatings~~:~~: ~~In addition to the information specified in Sections 401.1, 401.2 and 401.3, each manufacturer of any industrial maintenance coating subject to this rule shall display on~~ The labels of all Industrial Maintenance coatings shall prominently display the statement, "For Industrial Use Only" or "Professional Use Only~~.~~" or "Not for Residential Use" or "Not Intended for Residential Use."

~~401.4.3 "Not for residential use" or "Not intended for residential use."~~

~~401.5 Clear Brushing Lacquers: Effective January 1, 2003, the labels of all clear brushing lacquers shall prominently display the statements "For brush application only," and "This product must not be thinned or sprayed."~~

401.6 Rust Preventive Coatings: ~~Effective January 1, 2003,~~ The labels of all rust preventive coatings shall prominently display the statement "For Metal Substrates Only."

401.7 Specialty Primers, Sealers, and Undercoaters: Until~~Effective~~ January 1, ~~2003~~2012, the labels of all specialty primers, sealers, and undercoaters shall prominently display one or more of the descriptions listed in Sections 401.7.1 through 401.7.3.

~~401.7.1 For blocking stains.~~

401.7.1 For fire-damaged substrates.

401.7.2 For smoke-damaged substrates.

401.7.3 For water-damaged substrates.

~~401.7.5 For excessively chalky substrates.~~

401.8 ~~Quick-Dry Enamels: Effective January 1, 2003, the labels of all quick-dry enamels shall prominently display the words "Quick-Dry" and the dry-hard-time.~~ Reactive Penetrating Sealers: The labels of all Reactive Penetrating Sealers shall prominently display the statement "Reactive Penetrating Sealer".

401.9 ~~Non-Flat - High-Gloss Coatings:~~ Stone Consolidants: ~~Effective January 1, 2003,~~ ~~t~~The ~~L~~labels of all stone consolidants ~~non-flat - high-gloss coatings~~ shall prominently display the ~~statement ,"~~statement, "Stone Consolidant - For ~~Professional Use~~Professional Use Only".

401.10 Nonflat-High Gloss Coatings: The labels of all Nonflat-High Coatings shall prominently display the words, "High Gloss".

401.11 Wood Coatings: The labels of all Wood Coatings shall prominently display the statement, "For Wood Substrates Only".

401.12 Zinc-Rich Primers: The labels of all Zinc-Rich Primers shall prominently display the statement, "For Industrial Use Only" or "Professional Use Only" or "Not for Residential Use" or "Not Intended for Residential Use."

~~**402 CALCULATION OF VOC CONTENT:** For the purpose of determining compliance with the VOC content limits in the table in Section 301, the VOC content of a coating shall be determined by using the procedures described in Sections 402.1 or 402.2, as appropriate. The VOC content of a tint base shall be determined without colorant that is added after the tint base is manufactured.~~

~~402.1 With the exception of low solids coatings, determine the VOC content in grams of VOC per liter of coating thinned to the manufacturer's maximum recommendation, excluding the volume of any water and exempt compounds. Determine the VOC content using the following equation:~~

~~VOC Content = (Ws - Ww - Wec) / (Vm - Vw - Vec)~~

~~Where: VOC content = grams of VOC per liter of coating~~
~~Ws = weight of all volatiles, in grams~~
~~Ww = weight of water, in grams~~

Wec = weight of exempt compounds, in grams
Vm = volume of coating, in liters
Vw = volume of water, in liters
Vec = volume of exempt compounds, in liters

402.2 For low solids coatings, determine the VOC content in units of grams of VOC per liter of coating thinned to the manufacturer's maximum recommendation, including the volume of any water and exempt compounds. Determine the VOC content using the following equation:

VOC Contents = (Ws - Ww - Wec) / (Vm)

Where: VOC content = the VOC content of a low solids coating in grams of VOC per liter of coating
Ws = weight of all volatiles, in grams
Ww = weight of water, in grams
Wec = weight of exempt compounds, in grams
Vm = volume of coating, in liters

402.3 If the coating is a multi-component product, the VOC content is as mixed or catalyzed. If the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOCs during the curing process, the VOC content must include the VOCs emitted during curing.

500 MONITORING AND RECORDS

501 REPORTING REQUIREMENTS:

501.1 Clear Brushing Lacquers: Each manufacturer of clear brushing lacquers shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the California Air Resources Board. The report shall specify the number of gallons of clear brushing lacquers sold in California during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.

501.2 Rust Preventive Coatings: Each manufacturer of rust preventive coatings shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the California Air Resources Board. The report shall specify the number of gallons of rust preventive coatings sold in California during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.

501.3 Specialty Primers, Sealers, and Undercoaters: Each manufacturer of specialty primers, sealers, and undercoaters shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the California Air Resources Board. The report shall specify the number of gallons of specialty primers, sealers, and undercoaters sold in California during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.

501.4 Toxic Exempt Compounds: For each architectural coating that contains perchloroethylene or methylene chloride, the manufacturer shall, on or before April 1 of each calendar year beginning in the year 2004, report to the Executive Officer of the California Air Resources Board the following information for products sold in California during the preceding year:

501.4.1 the product brand name and a copy of the product label with legible usage instructions;

501.4.2 the product category listed in the table in Section 301 to which the coating belongs;

501.4.3 the total sales in California during the calendar year to the nearest gallon;

~~501.4.4 the volume percent, to the nearest 0.10 percent, of perchloroethylene and methylene chloride in the coating.~~

~~501.5 Recycled Coating: Manufacturers of recycled coatings must submit a letter to the Executive Officer of the California Air Resources Board certifying their status as a Recycled Paint Manufacturer. The manufacturer shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the California Air Resources Board. The report shall include, for all recycled coatings, the total number of gallons distributed in California during the preceding year, and shall describe the method used by the manufacturer to calculate California's distribution.~~

~~501.6 Bituminous Coatings: Each manufacturer of bituminous roof coatings or bituminous roof primers shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the California Air Resources Board. The report shall specify the number of gallons of bituminous roof coatings or bituminous roof primers sold in California during the preceding calendar year, and shall describe the method used by the manufacturer to calculate California's sales.~~

~~501~~

501.1 Sales Data: A responsible official from each manufacturer shall upon request of the Air Pollution Control Officer provide data concerning the distribution and sales of architectural coatings. The responsible official shall within 180 days provide information, including, but not limited to:

501.1.1 Name~~,~~ and mailing address of the manufacturer.

501.1.2 Name, address and telephone number of a contact person.

501.1.3 Name of the coating product as it appears on the label and the applicable ~~-~~coating category.

501.1.4 Whether or not the product is marketed for interior or exterior use or both;

501.1.5 The number of gallons sold in California in containers greater than one liter (1.057 quart) and equal to or less than one liter (1.057 quart).

501.1.6 The VOC Actual content and the VOC Regulatory content in grams per liter. If thinning is recommended, list the VOC Actual and VOC Regulatory content, after maximum recommended thinning. If containers less than one liter have a different VOC content than containers greater than one liter, list separately. If the coating is a multi-component product, provide the VOC content as mixed or catalyzed.

501.1.7 Names and CAS numbers of the VOC constituents in the product.

501.1.8 Names and CAS numbers of any compounds in the product specifically exempted from the VOC definition, as listed in Sections 262, 263, and 264.

501.1.9 Whether the product is marketed as ~~solventborne~~solvent borne, waterborne or 100% solids.

501.1.10 Description of resin or binder in the product.

501.1.11 Whether the coating is a single-component or a multi-component product.

501.1.12~~-~~ The density of the product in pounds per gallon.

501.1.13 The percent by weight of: solids, all volatile materials, water and any compounds in the product specifically exempted from the VOC definition, as listed in Section 262,

501.1.14 The percent by volume of: solids, water and any compounds in the product specifically exempted from the VOC definition, as listed in Sections 262.

502 RECORDKEEPING:

All sales data listed in Subsection 501 shall be maintained by the responsible official for a minimum of three years. Sales data submitted by the responsible official to the Executive Officer of the ARB may be claimed ~~confidential,~~confidential and such information shall be handled in accordance with the procedure specified in Title 17, California Code of Regulations, Sections 91000 through 91022.

503~~502~~ COMPLIANCE PROVISIONS AND TEST~~ING PROCEDURE~~METHODS:

503.1 Calculation of VOC Content: For the purpose of determining compliance with the VOC content limits in Section 301, the VOC content of a coating shall be determined as defined in Subsections 263.1 and 263.2. The VOC content of a tint base shall be determined without colorant that is added after the tint base is manufactured. If the manufacturer does not recommend thinning, the VOC Content must be calculated for the product as supplied. If the manufacturer recommends thinning, the VOC Content must be calculated including the maximum amount of thinning solvent recommended by the manufacturer. If the coating is a multi-component product, the VOC content must be calculated as mixed or catalyzed. If the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOC's during the curing process, the VOC Content must include the VOC's emitted during curing.

~~502~~503.2~~1~~ Test Method for VOC Content of Coatings: To determine the physical properties of a coating in order to perform the calculation in Subsections ~~402,~~ 263.1 or 263.2 ~~-~~the reference method for VOC content is U.S. Environmental Protection Agency Method 24, incorporated by reference in Subsection 50~~2~~.4.~~8~~11, except as provided in Sections ~~502~~503.2 ~~-~~and ~~502~~503. 3. An alternative method to determine the VOC content of coatings is South Coast Air Quality Management District Method 304-91 (Revised ~~February~~ 1996), incorporated by reference in Subsection 50~~3~~2.~~4~~4. ~~12~~9.

The exempt compounds content shall be determined by South Coast Air Quality Management District Method 303-91 (Revised ~~1993August1996~~), Bay Area Air Quality Management District Method 43 (Revised 1995), as applicable~~,~~ , incorporated by reference in S~~s~~ubsections ~~503.4.10~~ 503.4.7,503.4.5 and 503.5.6 respectively.

To determine the VOC content of a coating, the manufacturer may use U.S. Environmental Protection Agency Method 24, or an alternative method as provided in Section ~~402~~503.2, formulation data, or any other reasonable means for predicting that the coating has been formulated as intended (e.g. quality assurance checks, or recordkeeping). However, if there are any inconsistencies between the results of a Method 24 test and any other means for determining VOC content, the Method 24 test results will govern, except when an alternative method is approved as specified in Section ~~502~~503.2. The District Air Pollution Control Officer may require the manufacturer to conduct a Method 24 analysis.

~~502~~503.2 Alternative Test Method: Other test methods demonstrated to provide results that are acceptable for purposes of determining compliance with ~~sub~~Section 503.1, after review and approved in writing by the staffs of the District, the California

Air Resources Board, and the U.S. Environmental Protection Agency, may also be used.

~~502~~503.3 Methacrylate Traffic Marking Coatings: Analysis of methacrylate multicomponent coatings used as traffic marking coatings shall be conducted according to a modification of U.S. Environmental Protection Agency Method 24 (40 CFR 59, subpart D, Appendix A), incorporated by reference in Subsection 503.~~4~~5.11. This method has not been approved for methacrylate multicomponent coatings used for purposes other than as traffic marking coatings or for other classes of multicomponent coatings.

~~502~~503.4 Test Methods: The following test methods are incorporated by reference herein, and shall be used to test coatings subject to provisions of this rule:

~~502.4.1 Flame Spread Index: The flame spread index of a fire-retardant coating shall be determined by ASTM Designation E 84-0799, "Standard Test Method for Surface Burning Characteristics of Building Materials", (see Section 219, Fire-ResistiveCoating).~~

~~502~~503.4~~. 2~~1 Fire Resistance Rating: The fire resistance rating of a fire-resistive coating shall be determined by ASTM ~~Designation~~ E 119-~~98~~09c~~7~~, "Standard Test Methods for Fire Tests of Building Construction and Materials", (see Section 219, Fire-Resistive Coating).

~~502~~503.4.~~3~~2 Gloss Determination: The gloss of a coating shall be determined by ASTM ~~Designation~~ D 523-89 (1999), "Standard Test Method for Specular Gloss", (see Section 220, ~~2~~21, 234, 235 and 240, Flat Coating, Section 235~~-~~, Nonflat Coating, and Section 236, Nonflat High Gloss Coating~~ and Quick-Dry Enamels).~~

~~502~~503.4.~~4~~3 Metal Content of Coatings: The metallic content of a coating shall be determined by South Coast Air Quality Management District Method 318-95, "Determination of Weight Percent Elemental Metal in Coatings by X-Ray Diffraction", South Coast Air Quality Management District "Laboratory Methods of Analysis for Enforcement Samples"~~, (~~, (see Sections ~~232~~ 203, Aluminum Roof, Section 218, Faux Finishing, and Section 233, Metallic Pigmented Coating~~-~~).

~~502~~503.4.~~5~~4 Acid Content of Coatings: The acid content of a coating shall be determined by ASTM Designation D 1613-~~96~~ 06, "Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer, and Related Products", (see Section ~~238~~241, Pre-Treatment Wash Primers).

~~502.4.6 Drying Times: The set-to-touch, dry-hard, dry-to-touch, and dry-to-recoat times of a coating shall be determined by ASTM Designation D 1640-95, "Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings at Room Temperature", (see Section 240 and 241, Quick-Dry Enamel and Quick-Dry Primer, Sealer, and Undercoater). The tack-free time of a quick-dry enamel coating shall be determined by the Mechanical Test Method of ASTM Designation D 1640-95.~~

~~502.4.7 Surface Chalkiness: The chalkiness of a surface shall be determined using ASTM Designation D 4214-98, "Standard Test Methods for Evaluating the Degree of Chalking of Exterior Paint Films", (see Section 252, Specialty Primer, Sealer, and Undercoater).~~

~~502~~503.4.~~6~~5 Exempt Compounds - Siloxanes: Exempt compounds that are cyclic, branched, or linear completely methylated

siloxanes, shall be analyzed as exempt compounds for compliance with subsection 503.1 by Bay Area Air Quality Management District Method 43, "Determination of Volatile Methylsiloxanes in Solvent-Based Coatings, Inks, and Related Materials", Bay Area Air Quality Management *District Manual of Procedures*, Volume III, adopted 11/6/96, (see Section ~~263~~262, Volatile Organic Compounds and ~~subs~~Section 503.1).

~~502~~503.4.~~7~~6 Exempt Compounds - Parachlorobenzotrifluoride (PCBTF): The exempt compound parachlorobenzotrifluoride, shall be analyzed as an exempt compound for compliance with Section 503.1 by Bay Area Air Quality Management District Method 41, "Determination of Volatile Organic Compounds in Solvent-Based Coatings and Related Materials Containing Parachlorobenzotrifluoride", Bay Area Air Quality Management District Manual of Procedures, Volume III, adopted 12/20/95, (see Section ~~263~~262, Volatile Organic Compound and Section 503.1).

~~502~~503.4.~~8~~7 Exempt Compounds: The content of compounds exempt under U.S. Environmental Protection Agency Method 24 shall be analyzed by South Coast Air Quality Management District Method 303-91 (Revised 1993, "Determination of Exempt Compounds", South Coast Air Quality Management District "Laboratory Methods of Analysis for Enforcement Samples", (see Section ~~263~~262, Volatile Organic Compound and ~~subs~~Section 503.1).

503~~2~~.4.~~9~~8 VOC Content of Coatings: The VOC content of a coating shall be determined by U.S. Environmental Protection Agency Method 24 as it exists in appendix A of 40 Code of Federal Regulations (CFR) part ~~60,~~60; "Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings" (see ~~subs~~Section 503.1).

~~502~~503.4.~~10~~9 Alternative VOC Content of Coatings: The VOC content of coatings may be analyzed either by U.S. Environmental Protection Agency Method 24 or South Coast Air Quality Management District Method 304-91 (Revised 1996), "Determination of Volatile Organic Compounds (VOC) in Various Materials," South Coast Air Quality Management District "Laboratory Methods of Analysis for Enforcement Samples", (see ~~subs~~Section 503.1).

503~~2~~.4.~~11~~10 Methacrylate Traffic Marking Coatings: The VOC content of methacrylate multicomponent coatings used as traffic marking coatings shall be analyzed by the procedures in 40 CFR part 59, subpart D, appendix A, "Determination of Volatile Matter Content of Methacrylate Multicomponent Coatings Used as Traffic Marking Coatings", ~~(September 11, 1998),~~ (see ~~subs~~Section 503.3).

503.4.11 Hydrostatic Pressure for Basement Specialty Coatings: ASTM D7088-04, "Standard Practice for Resistance to Hydrostatic Pressure for Coatings Used in Below Grade Applications Applied to Masonry" (see Section 206, Basement Specialty Coating).

~~503.4.12 Gonioapparent Characteristics for Coatings: ASTM E-284-07, "Standard Terminology of Appearance (see Section 223, Gonioapparent).~~

503.4.1~~4~~3~~2~~2 Tub and Tile Refinish Coating Adhesion: ASTM D 4585-99, "Standard Practice for Testing Water Resistance of Coatings Using Controlled Condensation" and ASTM D3359-02, "Standard Test Methods

for Measuring Adhesion by Tape Test" (see Section 259, Tub and Tile Refinish Coating).

503.4.143 Tub and Tile Refinish Coating Hardness: ASTM D 3363-05, "Standard Test Method for Film Hardness by Pencil Test" (see Section 259, Tub and Tile Refinish Coating).

503.4.154 Tub and Tile Refinish Coating Abrasion Resistance: ASTM D 4060-07, "Standard Test Methods for Abrasion Resistance of Organic Coatings by the Taber Abraser" (see Section 259, Tub and Tile Refinish Coating).

503.4.165 Tub and Tile Refinish Coating Water Resistance: ASTM D 4585-99, "Standard Practice for Testing Water Resistance of Coatings Using Controlled Condensation" and ASTM D714-02e1, "Standard Test Method for evaluating Degree of Blistering of Paints" (see Section 259, Tub and Tile Refinish Coating).

503.4.176 Waterproofing Membrane: ASTM C836-06 "Standard Specification for High Solids Content, Cold Liquid-Applied Elastomeric Waterproofing Membrane for Use with Separate Wearing Course" (see Section 264, Waterproofing Membrane).

503.4.187 Mold and Mildew Growth for Basement Specialty Coatings: ASTM D3273-00, "Standard Test Method for Resistance to Growth ~~of Mold~~of Mold on the Surface of Interior Coatings in an Environmental Chamber", and ASTM D3274-95, "Standard Test Method for Evaluating Degree of Surface Disfigurement of Paint Films by Microbial (Fungal or Algal) Growth or Soil and Dirt Accumulation" (see Section 206, Basement Specialty Coating).

503.4.198 Reactive Penetrating Sealer Water Repellency: ASTM C67-07, "Standard Test Methods for Sampling and Testing Brick and Structural Clay Tile", or ASTM C97-02, "Standard Test Methods for Absorption and Bulk Specific Gravity of Dimension Stone", ~~or ASTM~~or ASTM C140-06. "Standard Test Methods for Sampling and Testing Concrete Masonry Units and Related Units" (see Section 243, Reactive Penetrating Sealer).

503.4.~~20~~19 Reactive Penetrating Sealer Water Vapor Transmission: ASTM E96/E96M-05, "Standard Test Method for Water Vapor Transmission of Materials" (see Section 243, Reactive Penetrating Sealer).

503.4.2~~1~~0 Reactive Penetrating Sealer-Chloride Screening Applications: National Cooperative Highway Research Report 244 (1981), "Concrete Sealers for the Protection of Bridge Structures" (see Section 243, Reactive Penetrating Sealer).

503.4.2~~2~~1 Stone Consolidants: ASTM E2167-01, "Standard Guide for Selection and Use of Stone Consolidants" (see Section 255, Stone Consolidant).

APPENDIX A
AVERAGING PROVISION

A. AVERAGING PROVISION

A.1 The manufacturer shall demonstrate that actual emissions from the coatings being averaged are less than or equal to the allowable emissions, for the specified compliance period using the following equation:

$$\sum_{i=1}^{n} GiMi \leq \sum_{i=1}^{n} GiViLi$$

Where:

$\sum_{i=1}^{n} GiMi$ = Actual Emissions

$\sum_{i=1}^{n} GiViLi$ = Allowable Emissions

Gi = Total Gallons of Product (i) subject to Averaging;

Mi = Material VOC Content of Product (i), in pounds per gallon;

$$Mi = \frac{Ws - Ww - Wec}{Vm}$$

Vi = Percent by Volume Solids and VOC in Product (i);

$$Vi = \frac{Vm - Vw - Vec}{Vm}$$

Ws = weight of all volatiles, in pounds
Ww = weight of water, in pounds
Wec = weight of exempt compounds, in pounds

Vm = volume of water, in gallons
Vw = volume of water, in gallons
Vec = volume of exempt compounds, in gallons

For Non-Zero VOC Coatings:

$$Vi = \frac{\text{Material VOC (also known as VOC Actual)}}{\text{Coating VOC (also known as VOC Regulatory)}}$$

Where:

$$\text{Coating VOC} = \frac{Ws - Ww - Wec}{Vm - Vw - Vec}$$

For Zero VOC Coatings:

Vi = Percent Solids by Volume

Li = Regulatory VOC Content Limit for Product (I), in pounds per gallon (as listed in the table in Section 301)

The averaging is limited to coatings that are designated by the manufacturer. Any coating not designated in the averaging Program shall comply with the VOC limit in the table in Section 301. The manufacturer shall not include any quantity of coatings that it knows or should have known will not be used in California, if statewide coatings data are used. If district-specific coatings data are used, the manufacturer shall not include any quantity of coatings that it knows or should have known will not be used in the District.

A.1.1 In addition to the requirements specified in Section A.1, manufacturers shall not include in an Averaging Program any coating with a VOC content in excess of the following maximum VOC contents, for the applicable categories.

Averaging Categories and VOC Ceiling (Maximum VOC Allowed)

CATEGORY	VOC LIMIT (LI)[1] (GRAMS/LITER)	MAXIMUM VOC CONTENT (GRAMS/LITER)
Flat Coating	100	250
Nonflat Coating	150	250
Floor Coatings	250	400
Industrial Maintenance Coatings	250	420
Primers, Sealers, and Undercoaters	200	350
Quick-Dry Primers, Sealers, and Undercoaters	200	450
Quick-Dry Enamels	250	400
Roof Coatings	250	250
Bituminous Roof coatings	300	300
Rust Preventative Coatings	400	400
Stains	250	350
Waterproofing Sealers	250	400

[1] As listed in Table 1. Used when determining allowable emissions in subsection A.1.

A.2 Averaging Program (Program)

At least six months prior to the start of the compliance period, manufacturers shall submit an Averaging Program to the Executive Officer of the Air Resources Board. As used in this Appendix A, "Executive Officer" means the Executive Officer of the Air Resources Board. Averaging may not be implemented until the Program is approved in writing by the Executive Officer.

Within 45 days of submittal of a complete Program, the Executive Officer shall either approve or disapprove the Program. The Program applicant and the Executive Officer may agree to an extension of time for the Executive Officer to take action on the Program.

A.3 General Requirements

The Program shall include all necessary information for the Executive Officer to make a determination as to whether the manufacturer may comply with the averaging requirements over the specified compliance period in an enforceable manner. Such information shall include, but is not limited to, the following:

A.3.1 An identification of the contact persons, telephone numbers, and name of the manufacturer who is submitting the Program.

A.3.2 An identification of each coating that has been selected by the manufacturer for inclusion in this program that exceeds the applicable VOC limit in the table in Section 301, its VOC content specified in units of both VOC actual and VOC regulatory, and the designation of the coating category.

A.3.3 A detailed demonstration showing that the projected actual emissions will not exceed the allowable emissions for a single compliance period that the Program will be in effect. In addition, the demonstration shall include VOC content information for each coating that is below the compliance limit in the table in Section 301. The demonstration shall use the equation specified in Section A.1 of this Appendix for projecting the actual emissions and allowable emissions during each compliance period. The demonstration shall also include all VOC content levels and projected volume sold within the State for each coating listed in the Program during each compliance period. The requested data can be summarized in a matrix form.

A.3.4 A specification of the compliance period(s) and applicable reporting dates. The length of the compliance period shall not be more than one year or less than six months.

A.3.5 An identification and description of all records to be made available to the Executive Officer upon request, if different than those identified under Section A.3.6.

A.3.6 An identification and description of specific records to be used in calculating emissions for the Program and subsequent reporting, and a detailed explanation as to how those records will be used by the manufacturer to verify compliance with the averaging requirements.

A.3.7 A statement, signed by a responsible party for the manufacturer, that all information submitted is true and correct, and that records will be made available to the Executive Officer upon request.

A.4 Reporting Requirements

A.4.1 For every single compliance period, the manufacturer shall submit a mid-term report listing all coatings subject to averaging during the first half of the compliance period, detailed analysis of the actual and allowable emissions at the end of the mid-term, and an explanation as to how the manufacturer intends to achieve compliance by the end of the compliance period. The report shall be signed by the responsible party for the manufacturer, attesting that all information submitted is true and correct. The mid-term report shall be submitted within 45 days after the midway date of the compliance period. A manufacturer may request, in writing, an extension of up to 15 days for submittal of the mid-term report.

A.4.2 Within 60 days after the end of the compliance period or upon termination of the Program, whichever is sooner, the manufacturer shall submit to the Executive Officer a report listing all coatings subject to averaging during the compliance period, providing a detailed demonstration of the balance between the actual and allowable emissions for the compliance period, any identification and description of specific records used by the manufacturer to verify compliance with the averaging requirement, and any other information requested by the Executive Officer to determine whether the manufacturer complied with the averaging requirements over the specified compliance period. The report shall be signed by the responsible party for the manufacturer, attesting that all information submitted is true and correct, and that records will be made available to the Executive Officer upon request. A manufacturer may request, in writing, an extension of up to 30 days for submittal of the final report.

~~**A.5 Renewal of a Program**~~

~~A Program automatically expires at the end of the compliance period. The manufacturer may request a renewal of the Program by submitting a renewal request that shall include an updated Program, meeting all applicable Program requirements. The renewal request will be considered conditionally approved until the Executive Officer makes a final decision to deny or approve the renewal request based on a determination of whether the manufacturer is likely to comply with the averaging requirements. The Executive Officer shall base such determination on all available information, including but not limited to, the mid-term and the final reports of the preceding compliance period. The Executive Officer shall make a decision to deny or approve a renewal request no later than 45 days from the date of the final report submittal, unless the manufacturer and the Executive Officer agree to an extension of time for the Executive Officer to take action on the renewal request.~~

~~**A.6 Modification of a Program**~~

~~A manufacturer may request a modification of the Program at any time prior to the end of the compliance period. The Executive Officer shall take action to approve or disapprove the modification request no longer than 45 days from the date of its submittal. No modification of the compliance period shall be allowed. A Program need not be modified to specify additional coatings to be averaged that are below the applicable VOC limits.~~

~~**A.7 Termination of a Program**~~

~~A.7.1 A manufacturer may terminate its Program at any time by filing a written notification to the Executive Officer. The filing date shall be considered the effective date of the termination, and all other provisions of this rule including the VOC limits shall immediately thereafter apply. The manufacturer shall also submit a final report 60 days after the termination date. Any exceedance of the actual emissions over the allowable emissions over the period that the Program was in effect shall constitute a separate violation for each day of the entire compliance period.~~

~~A.7.2 The Executive Officer may terminate a Program if any of the following circumstances occur:~~

~~A.7.2.1 The manufacturer violates the requirements of the approved Program, and at the end of the compliance period, the actual emissions exceed the allowable emissions.~~

~~A.7.2.2 The manufacturer demonstrates a recurring pattern of violations and has consistently failed to take the necessary steps to correct those violations.~~

~~**A.8 Change in VOC Limits**~~

~~If the VOC limits of a coating listed in the Program are amended such that its effective date is less than one year from the date of adoption, the affected manufacturer may base its averaging on the prior limits of that coating until the end of the compliance period immediately following the date of adoption.~~

~~**A.9 Labeling**~~

~~Each container of any coating that is included in averaging program, and that exceeds the applicable VOC limit in the table in Section 301 shall display the following statement: "This product is subject to architectural coatings averaging provisions in California." A symbol specified by the Executive Officer may be used as a substitute.~~

~~**A.10 Violations**~~

~~The exceedance of the allowable emissions for any compliance period shall constitute a separate violation for each day of the compliance period. However, any violation of the requirements of the Averaging Provision of this rule, which the violator can demonstrate, to the Executive Officer, did not cause or allow the emission of an air contaminant and was not the result of negligent or knowing activity may be considered a minor violation.~~

~~A.11 Sunset of Averaging Provision~~

~~The averaging provision set forth in Appendix A shall cease to be effective on January 1, 2005, after which averaging will no longer be allowed.~~

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